

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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**YARON KWELLER,**

*Plaintiff,*

*vs.*

**BROOME COUNTY, et al.,**

*Defendants.*

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**NOTICE OF  
MOTION TO DISMISS**

Civil Action No.:

3:24-cv-01328-ECC-ML

**MOTION BY:**

Defendants Michael A. Korchak and Mark Loughran

**DATE, TIME AND  
PLACE OF HEARING:**

On the \_\_\_\_\_ day of \_\_\_\_\_, 2025  
at \_\_\_\_\_ a.m./p.m. before the Honorable  
Elizabeth C. Coombe, U.S.D.J. at the U.S. District  
Courthouse for the Northern District of New York,  
100 S. Clinton Street, Syracuse, New York.

**SUPPORTING PAPERS:**

Memorandum of Law dated February 3, 2025

**RELIEF DEMANDED  
AND GROUNDS:**

Dismissal pursuant to Rule 12(b)(6) of the Federal  
Rules of Civil Procedure because the Complaint fails  
to state a claim for relief against the moving  
Defendants; the moving Defendants also seek such  
other, further and different relief as the Court deems  
just and proper.

**REPLY:**

Pursuant to Rule 7.1(a)(1) of the Local Rules of  
Practice for the U.S. District Court for the Northern  
District of New York, papers submitted in opposition  
to the within motion must be filed with the Clerk and  
served upon counsel for these moving defendants no  
more than twenty-one days after service of the  
motion, exclusive of that day. Upon receipt of  
opposition papers, the moving parties intend to file  
and serve papers in accordance with Rule 7.1.

**DATED:** February 3, 2025

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 3, 2025, I filed the foregoing Notice of Motion to Dismiss of Michael A. Korchak and Mark Loughran with the CM/ECF system which sent notification of such filing to the following:

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